



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.25660 of 2019

and

WMP(MD)Nos.22245 & 22246 of 2019

D.Manikandan

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The Block Development Officer,
Madurai East Panchayat Union,
Madurai District.

3.The Tahsildar,
Aadhithiravidar Welfare, Zone II,
Collectorate Campus,
Madurai District.

4.The Panchayat Secretary,
Veerapandi Panchayat,
Madurai East Panchayat Union,
Madurai.

5.M.Manikandan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order passed by the 2nd respondent in his proceedings in Na.Ka.No.2408/2019/Thee 1 dated 04.11.2019 and quash the same as illegal and consequently directing the respondents not to cancel the house tax receipt and disconnect the water pipe line in respect of the house in S.No.45/05 6A 6C Plot No.23 situated at Veerapandi village, Madurai district.

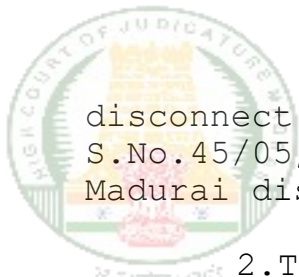
For Petitioner : Mr.S.T.Sasidharan Tamilkani

For R1 to R3 : Mr.M.Rajarajan

Government Advocate

ORDER

This writ petition is filed challenging the proceedings of the second respondent dated 04.11.2019. A consequential direction to the official respondents not to cancel the house tax receipt and



disconnect the water pipe line in respect of the house in S.No.45/05, 6A, 6C Plot No.23 situated at Veerapandi village, Madurai district, has also been sought for.

2.The short facts of the case are that originally the petition mentioned property was allotted to landless poorer of Adi Dravidars. Accordingly, it was allotted to one Karuppayi W/o.Maruthamuthu. The said Karuppayi did not have any legal heir and said to have adopted one Chinnasamy, who is her sister's son. The said Chinnasamy had also left the village and the petitioner claims that the subject property was conveyed in his favour through a sale deed executed by the said Chinnasamy. The said Chinnasamy himself has no saleable right to be conveyed to the petitioner. Nevertheless, the said sale dated 24.05.2017 also is an unregistered one. Hence, no title could pass on to the petitioner.

3.Though there are other allegations made by the petitioner, he is only seeking to quash the order passed by the second respondent and directing them not to cancel the house tax receipt and water connection standing in his name. In the absence of any proof of title to the petition mentioned property, the petitioner cannot have any claim over the same. Therefore, the relief sought by the petitioner cannot be granted and the writ petition is dismissed as bereft of any merits. No costs. Consequently, WMP(MD)Nos.22245 and 22246 of 2019 are closed.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

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To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The Block Development Officer,
Madurai East Panchayat Union,
Madurai District.
- 3.The Tahsildar,
Aadhithiravidar Welfare, Zone II,
Collectorate Campus,
Madurai District.



+1 CC to M/s.S.T.SASIDHARAN TAMILKANI, Advocate (SR-104107[F] dated 09/12/2019)

+1 CC to M/s.SPL GP (SR-104223[F] dated 10/12/2019)

W.P(MD)No.25660 of 2019
09.12.2019

kg(CO)
TR(06.01.2020) 3P 6C